

DT07 Rec'd PCT/ 09 SEP 2004

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PATENT

ATTORNEY DOCKET NO.: 046124-5302

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Yoshihiko MIZUSHIMA et al.

Application No.: 10/500,239 ✓

Filed: June 25, 2004

For: METHOD OF OPTICALLY ANALYZING  
INHOMOGENEOUS MEDIUM

)  
)  
) Confirmation No.: *Unassigned*  
)  
) Group Art Unit: *Unassigned*  
)  
) Examiner: *Unassigned*  
)  
)

Commissioner for Patents  
U.S. Patent and Trademark Office  
2011 South Clark Place  
Customer Window  
Crystal Plaza Two, Lobby, Room 1B03  
Arlington, VA 22202

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

An International Preliminary Examination Report (IPER) dated July 8, 2003 is attached together with several listed documents. Applicants respectfully request that the Examiner consider the IPER, the April 22, 2003 ISR submitted on June 25, 2004 and the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

This submission does not represent that a search has been made or that no better art exists

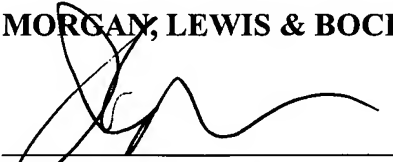
and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

  
 John G. Smith  
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Dated: September 9, 2004

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# INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

PTO Form-1449

Attorney Docket No.

046124-5302

Application No.:

10/500,239

Applicant(s):

Yoshihiko MIZUSHIMA et al.

PAGE 1 OF 1

Filing Date: June 25, 2004

Group: Unassigned

## U.S. PATENT DOCUMENTS

Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	4,972,331	November 20, 1990	Chance	364	550	February 6, 1989
	5,333,610	August 2, 1994	Hirao	128	633	March 26, 1992

## FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation	
						Yes	No
	WO 00/65330	February 11, 2000	PCT			Abstract	
	DE 198 31 424 A1	February 3, 2000	Germany			Partial	
	JP 2001-264245	September 26, 2001	Japan			Abstract	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Jiang, <i>et al.</i> , "Simultaneous Reconstruction of Optical Absorption and Scattering Maps in Turbid Media From Near-Infrared Frequency-Domain Data", OPTICS LETTERS, Vol. 20, No. 20, October 15, 1995, pp. 2128-2130.

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.